



FISCAL YEAR 2018 REPORT OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ON ITS ADMINISTRATION OF THE FREEDOM OF INFORMATION ACT (FOIA), 5 U.S.C. § 552

I. BASIC INFORMATION REGARDING REPORT

1. *Name, title, address, and telephone number of person(s) to be contacted with questions about the Report.*

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2. *Provide an electronic link for access to the Report on the agency Web site.*

<https://www.eeoc.gov/eeoc/foia/index.cfm>

3. *Explain how to obtain a copy of the Report in paper form.*

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II. MAKING A FOIA REQUEST

Freedom of Information Act (FOIA) requests should be made in accordance with the Commission's regulations at 29 C.F.R. §1610.7. The regulations can be accessed at: http://www.access.gpo.gov/nara/cfr/waisidx_10/29cfr1610_10.html

1. *Names, addresses, and telephone numbers of all individual agency components that receive FOIA requests.*

See 29 C.F.R. §1610.4 and the agency's FOIA web page at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title29-vol4/xml/CFR-2011-title29-vol4-part1610.xml> for the EEOC FOIA contacts.

2. *Brief description of why some requests are not granted and an overview of certain general categories of the agency's records to which the FOIA exemptions apply.*

The majority of fiscal year 2018 FOIA requests received by the Commission were for materials contained in the Commission's investigative case files that involved charges of discrimination filed pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, et. seq. (Title VII), the Age Discrimination in Employment Act, 29 U.S.C. §§ 621-633 (ADEA), the Americans with Disabilities Act, 42 U.S.C. §§ 12101-213 (ADA), the Equal Pay Act, 29 U.S.C. § 206(d) (EPA), and Title II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. § 2000ff, et seq. Sections 706(b) and 709(e) of Title VII, 42 U.S.C. §§ 2000e-5(b) and 8(e), §107 of the ADA, 42 U.S.C. § 12117, and § 207(a)(1) of GINA, 42 U.S.C. § 2000ff-6 prohibit Commission employees from making Title VII, ADA or GINA charges, conciliation materials, case file information and required reports public. In certain instances, parties to the charge are entitled access to the disclosable portions of the charge file. Examples of non-disclosable material in charge files are discussed in detail in section XII of this report.

3. *Electronic link to agency FOIA regulations and fee schedule:*

<https://www.gpo.gov/fdsys/pkg/CFR-2013-title29-vol4/xml/CFR-2013-title29-vol4-part1610.xml>

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. *Acronyms used in this report:*

- a. **EEOC** - Equal Employment Opportunity Commission.
- b. **E-FOIA** - Electronic Freedom of Information Act Amendments, 5 U.S.C. § 552, Pub. L. No. 104-231, 110 Stat 3048.
- c. **FAQ** - Frequently asked questions
- d. **FX** - FOIAXPress. FX tracks all incoming FOIA requests and appeals, as well as requests submitted through the Requester Service Center. The FTS also captures information required for the Annual FOIA Report.

2. *Definitions of Terms Used in this Report*

- a. **Administrative Appeal** - a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** - the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** - for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** - the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** - a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3)(A)(i) of the FOIA.
- g. **FOIA Request** - a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-

party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report. Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** - an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** - an agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** - the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
 - i. **Expedited Processing** - an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
 - ii. **Simple Request** - a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
 - iii. **Complex Request** - a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.

Partial Grant/Partial Denial - in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.

- l. **Pending Request or Pending Administrative Appeal** - a request or administrative appeal for which an agency has not taken final action in all respects.
- m. **Perfected Request** - a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
- n. **Processed Request or Processed Administrative Appeal** - a request or administrative appeal for which an agency has taken final action in all respects.
- o. **Range in Number of Days** - the lowest and highest number of days to process requests or administrative appeals.
- p. **Section 83** - refers to Section 83 of the EEOC Compliance Manual Volume I which provides for access to relevant case files by charging parties, aggrieved persons on whose behalf a charge has been filed, and entities against whom charges have been filed. 29 C.F.R. § 1610.17(d). r. **Time Limits** - the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

3. Concise Descriptions of FOIA

- a. **Exemption 1** - classified national defense and foreign relations information. Exemptions
- b. **Exemption 2** - internal agency rules and practices.
- c. **Exemption 3** - information that is prohibited from disclosure by another federal law: (A) any Title VII, ADA or GINA charge file information requested by anyone other than the Charging Party or the Respondent to the charge, such as the charge file or information concerning the existence of charge files, (B) Title VII, ADA or GINA information requested by the Charge Party or the Respondent after the time limit for filing a lawsuit has expired and no lawsuit has been filed, (C) reference to other Title VII, ADA or GINA charges in the charge file, (D) EEO reports required to be filed under Title VII, if requester has not filed suit against the respondent, or (E) information submitted by unsuccessful bidders for contracts with the EEOC.
- d. **Exemption 4** - trade secrets and other confidential business information.
- e. **Exemption 5** - inter-agency or intra-agency communications that are protected by legal privileges.
- f. **Exemption 6** - information involving matters of personal privacy.
- g. **Exemption 7** - records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual.
- h. **Exemption 8** - information relating to the supervision of financial institutions.
- i. **Exemption 9** - geological information on wells.

4. Agency Component Abbreviations

Component Abbreviation	Component Name
Atlanta	Atlanta District Office
Birmingham	Birmingham District Office
Charlotte	Charlotte District Office
Chicago	Chicago District Office
Dallas	Dallas District Office
Houston	Houston District Office
Indianapolis	Indianapolis District Office
Los Angeles	Los Angeles District Office
Memphis	Memphis District Office
Miami	The Miami District Office
New York	New York District Office
Philadelphia	Philadelphia District Office
Phoenix	Phoenix District Office
San Francisco	San Francisco District Office
St. Louis	St. Louis District Office
WFO	Washington Field Office
OLC/HDQ	Office of Legal Counsel/Headquarters

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon	Total Number of Times

				by Agency / Component	Relied upon by Agency Overall
42 U.S.C. § 2000e-5(b), 2000e-8(e) (Civil Rights Act of 1964)	Information pertaining to charges of unlawful employment discrimination practices; information obtained by the EEOC in the investigation of charges of unlawful employment practices	Frito-Lay v. EEOC, 964 F. Supp. 236, 240-43 (W.D. Ky. 1997); and Am. Centennial Ins. Co. v. EEOC, 722 F. Supp. 180, 184 (D.N.J. 1989)	Atlanta	12	1,532
			Birmingham	72	
			Charlotte	20	
			Chicago	80	
			Dallas	140	
			Houston	32	
			Indianapolis	174	
			Los Angeles	119	
			Memphis	59	
			Miami	192	
			New York	50	
			Philadelphia	159	
			Phoenix	69	
			San Francisco	133	
			St. Louis	25	
			WFO	22	
			OLC/HDQ	174	
42 U.S.C. § 12117	Americans with Disabilities Act charges, conciliation materials, required reports, and case file information	N/A	Atlanta	1	882
			Birmingham	2	
			Charlotte	15	
			Chicago	56	
			Dallas	92	
			Houston	8	
			Indianapolis	24	
			Los Angeles	117	
			Memphis	24	
			Miami	79	
			New York	43	
			Philadelphia	44	
			Phoenix	86	
			San Francisco	134	
			St. Louis	20	
			Indianapolis	1	

			OLC/HDQ	136	
42 U.S.C. § 2000ff-6	Information pertaining to charges of unlawful employment discrimination practices	N/A	Atlanta	1	704
			Charlotte	15	
			Chicago	41	
			Dallas	74	
			Indianapolis	6	
			Los Angeles	117	
			Memphis	2	
			Miami	70	
			New York	39	
			Philadelphia	2	
			Phoenix	67	
			San Francisco	134	
			St. Louis	19	
			OLC/HDQ	117	

V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
Atlanta	17	1,249	1,233	33
Birmingham	116	1,400	1,402	114
Charlotte	64	1,046	1,036	74
Chicago	155	702	777	80
Dallas	98	1,553	1,423	228
Houston	278	890	905	263
Indianapolis	163	2,144	2,132	175
Los Angeles	6	1,052	1,028	30
Memphis	70	682	684	68
Miami	713	2,128	1,822	1,019
New York	125	984	980	129
Philadelphia	541	1,861	1,906	496
Phoenix	40	592	457	175
San Francisco	291	707	798	200
St. Louis	911	1,231	1,729	413
WFO	21	213	202	32
	110	631	620	121

OLC/HDQ				
AGENCY OVERALL	3,719	19,065	19,134	3,650

After reviewing their databases, Chicago, Dallas, Indianapolis, Los Angeles, Memphis, Miami, New York, OLC/HDQ, Philadelphia, Phoenix, San Francisco, and St. Louis updated the numbers of requests pending as of the start of the Fiscal Year.

V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
Atlanta	3	1,059	49	32	0	7	0	0	47	1	35	0	1,233
Birmingham	3	1,201	89	7	0	7	0	2	54	3	36	0	1,402
Charlotte	8	854	37	17	47	10	0	0	40	0	23	0	1,036
Chicago	30	495	125	10	10	56	24	0	6	0	21	0	777
Dallas	52	1,123	139	22	0	28	0	2	8	0	49	0	1,423
Houston	3	723	85	18	1	20	0	0	3	0	52	0	905
Indianapolis	49	1,654	103	59	72	28	1	8	78	0	80	0	2,132
Los Angeles	29	333	159	452	0	19	0	0	7	0	29	0	1,028
Memphis	11	539	70	9	0	20	1	1	13	0	20	0	684
Miami	32	1,160	290	69	2	55	0	1	122	2	89	0	1,822
New York	80	488	71	126	0	10	0	0	130	1	60	14	980
Philadelphia	34	1,340	142	35	45	89	1	1	92	0	124	3	1,906
Phoenix	17	328	66	4	4	4	0	2	20	0	12	0	457
San Francisco	44	324	165	184	0	7	0	0	30	0	44	0	798
St. Louis	33	1,484	66	3	1	34	7	0	52	0	49	0	1,729
WFO	0	140	6	5	20	4	1	0	10	0	16	0	202
OLC/HDQ	97	61	188	112	1	57	10	17	32	13	32	0	620
AGENCY OVERALL	525	13,306	1,850	1,164	203	455	45	34	744	20	771	17	19,134

V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL

Atlanta	N/A	0	0
Birmingham	N/A	0	0
Charlotte	N/A	0	0
Chicago	N/A	0	0
Dallas	N/A	0	0
Houston	N/A	0	0
Indianapolis	N/A	0	0
Los Angeles	N/A	0	0
Memphis	N/A	0	0
Miami	N/A	0	0
New York	Litigation	14	14
Philadelphia	Litigation	3	3
Phoenix	N/A	0	0
San Francisco	N/A	0	0
St. Louis	N/A	0	0
WFO	N/A	0	0
OLC/HDQ	N/A	0	0
AGENCY OVERALL			17

V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
Atlanta	0	0	13	0	1,060	32	40	0	273	0	0	1	0	0
Birmingham	0	0	73	0	1,183	0	116	0	1,238	0	0	0	0	0
Charlotte	0	0	20	1	814	483	81	0	710	0	0	0	0	0
Chicago	0	0	88	3	496	236	121	0	326	7	0	0	0	0
Dallas	0	0	143	20	1,070	664	114	0	942	2	0	0	0	0

Houston	0	0	35	1	722	36	96	0	685	4	0	0	0	0
Indianapolis	0	0	183	4	1,619	1,072	168	0	1,092	19	0	0	0	0
Los Angeles	0	0	124	0	321	250	36	0	30	1	0	0	0	0
Memphis	0	0	61	0	506	430	40	0	464	2	0	0	0	0
Miami	0	0	202	2	1,151	539	198	0	615	8	2	0	0	0
New York	0	0	52	2	478	8	64	0	212	0	0	0	0	0
Philadelphia	0	0	181	1	1,331	485	210	0	407	16	0	0	0	0
Phoenix	0	0	88	0	334	221	210	0	251	0	67	0	0	0
San Francisco	0	0	134	3	319	326	94	0	140	3	4	0	0	0
St. Louis	0	0	26	3	1,482	536	90	0	40	0	0	0	0	0
WFO	0	0	22	2	138	55	8	0	59	1	29	1	0	0
OLC/HDQ	0	0	181	2	17	16	7	0	187	2	8	0	0	0
AGENCY OVERALL	0	0	1,626	44	13,041	5,389	1,693	0	7,671	65	110	2	0	0

VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
				0
				0
				0
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				0
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				0
				0
				0
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				0
OLC/HDQ	27	318	326	19
AGENCY OVERALL	27	318	326	19

After reviewing its database, OLC/HDQ updated the number of appeals pending as of the start of the Fiscal Year.

VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS

[illegible]

VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
OLC/HDQ	0	0	92	0	53	10	37	0	77	1	1	0	0	0

AGENCY OVERALL	0	0	92	0	53	10	37	0	77	1	1	0	0	0
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VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
OLC/HDQ	15	2	0	2	0	0	0	0	0	0	131
AGENCY OVERALL	15	2	0	2	0	0	0	0	0	0	131

VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
OLC/HDQ	No component response to adjudicate	7	131
	Improper appeal	124	
AGENCY OVERALL			131

VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
OLC/HDQ	24.50	31.57	<1	431.00
AGENCY OVERALL	24.50	32.15	<1	431.00

VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
	Date of Appeal										
	Number of Days Pending										
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	Number of Days Pending	12	13	14	23	26	26	40	41	63	65
AGENCY OVERALL	Date of Appeal	2018-09-12	2018-09-11	2018-09-08	2018-08-27	2018-08-22	2018-08-22	2018-08-02	2018-08-01	2018-06-29	2018-06-27
	Number of Days Pending	12	13	14	23	26	26	40	41	63	65

VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
Atlanta	2	4.31	<1	302	<1	<1	<1	<1	N/A	N/A	N/A	N/A
Birmingham	20	22.15	<1	303	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Charlotte	19	16.56	<1	251	29	29	28	30	N/A	N/A	N/A	N/A
Chicago	58	86.47	<1	792	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dallas	68	73.26	<1	422	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Houston	130	186.87	<1	672	32	127.33	28	322	N/A	N/A	N/A	N/A
Indianapolis	42	41.6	3	340	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Los Angeles	3	5.47	<1	164	9.5	9.5	<1	19	237	237	237	237
Memphis	20	21.77	<1	223	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Miami	111	122.11	<1	368	182.5	178.72	27	271	N/A	N/A	N/A	N/A
New York	39	52.77	<1	188	77.5	88.4	<1	177	N/A	N/A	N/A	N/A
Philadelphia	36	57.63	<1	248	165.5	129.33	29	198	N/A	N/A	N/A	N/A
Phoenix	20	26.3	<1	100	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
San Francisco	29	62.52	<1	410	27	27.33	27	28	N/A	N/A	N/A	N/A
St. Louis	96	91.63	<1	331	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
WFO	20	21.76	<1	64	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OLC/HDQ	19	26.93	<1	343	41	62.6	27	191	17	17	17	17
AGENCY OVERALL	20	46.62	3	530	39	76.27	<1	322	127	127	17	237

VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Agency /	SIMPLE	COMPLEX	EXPEDITED PROCESSING
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Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
Atlanta	2	4.18	<1	195	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Birmingham	20	22.27	<1	55	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Charlotte	19	19.02	<1	31	29	29	28	30	N/A	N/A	N/A	N/A
Chicago	64	85.94	<1	643	30	35.86	21	66	N/A	N/A	N/A	N/A
Dallas	76	78.58	2	276	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Houston	164	205.24	<1	672	177	177	32	322	N/A	N/A	N/A	N/A
Indianapolis	50	47.55	<1	153	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Los Angeles	7	7.32	<1	43	N/A	N/A	N/A	N/A	237	237	237	237
Memphis	22	24.94	1	223	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Miami	153	153.81	<1	368	182.5	178.72	27	271	N/A	N/A	N/A	N/A
New York	57	67.87	<1	188	79	93.71	4	177	N/A	N/A	N/A	N/A
Philadelphia	38	58.41	<1	248	174	123.8	29	198	N/A	N/A	N/A	N/A
Phoenix	20	29.15	1	100	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
San Francisco	36	63.06	<1	410	27	27.33	27	28	N/A	N/A	N/A	N/A
St. Louis	100	99.92	<1	331	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
WFO	21	23.74	1	64	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OLC/HDQ	34	45.59	1	343	49	66.45	30	191	N/A	N/A	N/A	N/A
AGENCY OVERALL	23	52.11	<1	530	39	80.2	4	322	237	237	237	237

VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Atlanta	1,157	10	6	3	2	4	0	0	0	1	1	1	0	1,185
Birmingham	867	399	78	0	0	0	0	0	0	0	1	1	0	1,346
Charlotte	904	74	0	0	0	0	0	0	1	0	1	0	0	980
Chicago	420	155	66	27	17	9	7	3	5	6	11	11	5	742
Dallas	850	286	86	66	69	22	32	1	0	0	1	0	0	1,413
Houston	280	116	120	70	42	37	49	17	21	20	108	19	0	899

Indianapolis	1,298	283	414	26	17	3	1	0	2	1	1	0	0	2,046
Los Angeles	1,006	9	1	0	0	0	0	1	1	0	0	0	0	1,018
Memphis	334	308	24	2	0	1	0	0	0	0	1	0	0	670
Miami	306	180	86	66	88	94	112	78	74	84	478	35	0	1,681
New York	229	131	122	63	77	77	68	36	22	5	0	0	0	830
Philadelphia	585	326	217	163	102	78	80	74	90	75	17	0	0	1,807
Phoenix	241	87	45	49	13	0	0	0	0	0	0	0	0	435
San Francisco	272	213	76	32	10	6	7	16	22	14	91	5	1	765
St. Louis	79	158	220	206	250	231	247	151	104	13	16	2	0	1,677
WFO	102	89	0	1	0	0	0	0	0	0	0	0	0	192
OLC/HDQ	302	151	33	38	9	8	2	2	1	0	3	1	0	550
AGENCY OVERALL	9,232	2,975	1,594	812	696	570	605	379	343	219	730	75	6	18,236

VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

[illegible]

St. Louis	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OLC/HDQ	0	10	4	0	1	4	0	0	0	1	0	0	0	20
AGENCY OVERALL	5	60	10	7	3	6	3	5	6	4	8	1	0	118

VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Atlanta	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Birmingham	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Charlotte	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chicago	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dallas	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Houston	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Indianapolis	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Los Angeles	0	0	0	0	0	0	0	0	0	0	1	0	0	1
Memphis	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Miami	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New York	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Phoenix	0	0	0	0	0	0	0	0	0	0	0	0	0	0
San Francisco	0	0	0	0	0	0	0	0	0	0	0	0	0	0
St. Louis	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OLC/HDQ	1	0	0	0	0	0	0	0	0	0	0	0	0	1
AGENCY OVERALL	1	0	0	0	0	0	0	0	0	0	1	0	0	2

VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

Agency / Component	SIMPLE	COMPLEX	EXPEDITED PROCESSING

	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
Atlanta	25	1	1	0	N/A	N/A	0	N/A	N/A
Birmingham	110	8	8	0	N/A	N/A	0	N/A	N/A
Charlotte	59	8	8	0	N/A	N/A	0	N/A	N/A
Chicago	75	12	17	0	N/A	N/A	0	N/A	N/A
Dallas	232	67	75	0	N/A	N/A	0	N/A	N/A
Houston	260	145	174	0	N/A	N/A	0	N/A	N/A
Indianapolis	155	11	14	0	N/A	N/A	0	N/A	N/A
Los Angeles	31	7	8	0	N/A	N/A	0	N/A	N/A
Memphis	57	10	13	0	N/A	N/A	0	N/A	N/A
Miami	994	76	97	14	17.5	74	0	N/A	N/A
New York	117	26	32	0	N/A	N/A	0	N/A	N/A
Philadelphia	482	42	47	0	N/A	N/A	0	N/A	N/A
Phoenix	136	53.5	48	0	N/A	N/A	0	N/A	N/A
San Francisco	182	51	149	0	N/A	N/A	0	N/A	N/A
St. Louis	326	35.5	50	0	N/A	N/A	0	N/A	N/A
WFO	28	8	8	0	N/A	N/A	0	N/A	N/A
OLC/HDQ	66	18	54	4	2.5	64	0	N/A	N/A
AGENCY OVERALL	3335	41	64	18	17	71	0	N/A	N/A

VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS

[illegible]

	Number of Days Pending	14	16	16	16	22	29	35	42	45	74
Dallas	Date of Receipt	2018-04-10	2018-04-10	2018-04-09	2018-04-03	2018-04-03	2018-03-28	2018-03-28	2018-03-22	2018-03-13	2018-02-12
	Number of Days Pending	126	152	154	158	158	166	166	180	235	284
Houston	Date of Receipt	2018-01-24	2018-01-10	2018-01-09	2018-01-08	2018-01-08	2017-12-20	2017-11-30	2017-11-27	2017-11-27	2017-11-27
	Number of Days Pending	377	392	394	395	400	417	438	450	465	465
Indianapolis	Date of Receipt	2018-08-27	2018-08-27	2018-08-22	2018-08-20	2018-08-20	2018-08-20	2018-08-20	2018-08-20	2018-08-20	2018-08-20
	Number of Days Pending	30	30	33	35	36	38	40	40	41	41
Los Angeles	Date of Receipt	2018-09-14	2018-09-14	2018-09-13	2018-09-13	2018-09-13	2018-09-13	2018-09-12	2018-09-12	2018-09-12	2018-09-12
	Number of Days Pending	10	10	11	11	11	11	12	12	12	12
Memphis	Date of Receipt	2018-08-28	2018-08-27	2018-08-27	2018-08-22	2018-08-20	2018-08-17	2018-08-17	2018-08-15	2018-08-14	2018-08-13
	Number of Days Pending	22	23	23	26	28	29	29	31	32	33
Miami	Date of Receipt	2017-08-07	2017-07-20	2017-07-17	2017-07-12	2017-07-05	2017-06-26	2017-06-23	2017-06-15	2017-06-13	2017-04-24
	Number of Days Pending	288	300	303	306	311	317	318	324	326	361
New York	Date of Receipt	2018-06-08	2018-06-06	2018-06-05	2018-06-03	2018-06-01	2018-05-31	2018-05-30	2018-05-30	2018-05-29	2018-05-07
	Number of Days Pending	78	80	81	82	83	84	85	85	86	101
Philadelphia	Date of Receipt	2018-04-20	2018-04-19	2018-04-19	2018-04-19	2018-04-18	2018-04-17	2018-04-17	2018-04-16	2018-04-15	2018-04-13
	Number of Days Pending	112	113	113	113	114	115	115	116	116	117
Phoenix	Date of Receipt	2018-05-14	2018-05-14	2018-05-14	2018-05-11	2018-05-10	2018-05-10	2018-05-10	2018-05-08	2018-03-07	2018-02-14
	Number of Days Pending	96	96	96	97	98	98	98	100	144	158
San Francisco	Date of Receipt	2016-11-14	2016-11-14	2016-11-14	2016-11-14	2016-11-03	2016-11-01	2016-11-01	2016-10-20	2016-10-13	2016-10-11
	Number of Days Pending	471	471	471	471	477	479	479	487	492	494
St. Louis	Date of Receipt	2018-01-08	2018-01-03	2017-12-29	2017-12-22	2017-12-20	2017-12-11	2017-12-05	2017-12-05	2017-12-04	2017-11-28
	Number of Days Pending	184	187	189	193	195	202	206	206	207	211
WFO	Date of Receipt	2018-09-13	2018-09-13	2018-09-13	2018-09-13	2018-09-11	2018-09-07	2018-09-05	2018-08-31	2018-08-31	2018-08-24
	Number of Days Pending	11	11	11	11	13	15	17	19	19	24
OLC/HDQ	Date of Receipt	2018-05-01	2018-03-02	2018-01-17	2017-12-22	2017-10-02	2017-08-23	2017-08-15	2017-07-10	2017-03-17	2017-01-12
	Number of Days Pending	105	147	178	193	249	276	282	308	387	431
AGENCY OVERALL	Date of Receipt	2016-11-14	2016-11-14	2016-11-14	2016-11-14	2016-11-03	2016-11-01	2016-11-01	2016-10-20	2016-10-13	2016-10-11
	Number of Days Pending	471	471	471	471	477	479	479	487	492	494

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Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
Atlanta	0	1	1	1	1
Birmingham	0	1	1	1	1
Charlotte	0	0	N/A	N/A	0
Chicago	0	2	1	1	2
Dallas	0	2	1.5	1.5	2
Houston	0	2	7.5	7.5	2
Indianapolis	0	1	12	12	0
Los Angeles	1	0	345	345	0
Memphis	0	0	N/A	N/A	0
Miami	0	1	1	1	1
New York	0	4	34.5	54.5	1
Philadelphia	0	2	66	66	0
Phoenix	0	1	4	4	1
San Francisco	0	3	1	1	3
St. Louis	0	0	N/A	N/A	0
WFO	0	4	25.5	19.5	1
OLC/HDQ	1	1	20.5	20.5	0
AGENCY OVERALL	2	25	6	31.41	15

VIII.B. REQUESTS FOR FEE WAIVER

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
Atlanta	0	103	1	2.54
Birmingham	0	0	N/A	N/A
Charlotte	0	11	16	12.36
Chicago	2	0	6.5	6.5
Dallas	0	0	N/A	N/A
Houston	0	1	19	19
Indianapolis	2	0	11	11
Los Angeles	0	3	1	1.33

Memphis	0	5	20	20.8
Miami	0	34	1	0.74
New York	0	11	13	40
Philadelphia	15	2	36	75.41
Phoenix	1	0	28	28
San Francisco	0	9	24	28.89
St. Louis	3	0	134	90.67
WFO	2	0	24	24
OLC/HDQ	0	19	2	4.26
AGENCY OVERALL	25	198	2	13.43

IX. FOIA PERSONNEL AND COSTS

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
Atlanta	2	0	2	\$119,661.01	\$0.00	\$119,661.01
Birmingham	2	0	2	\$122,210.78	\$0.00	\$122,210.78
Charlotte	1	0.14	1.14	\$88,299.39	\$0.00	\$88,299.39
Chicago	2	2.34	4.34	\$129,791.71	\$0.00	\$129,791.71
Dallas	2	5	7	\$13,864.67	\$0.00	\$13,864.67
Houston	1	3	4	\$135,395.49	\$0.00	\$135,395.49
Indianapolis	4	0	4	\$415,740.98	\$0.00	\$415,740.98
Los Angeles	3	0.05	3.05	\$194,133.90	\$0.00	\$194,133.90
Memphis	2	0.76	2.76	\$104,182.19	\$0.00	\$104,182.19
Miami	3	4.3	7.3	\$197,873.97	\$0.00	\$197,873.97
New York	1	0.02	1.02	\$94,895.15	\$0.00	\$94,895.15
Philadelphia	2	0.17	2.17	\$98,982.67	\$0.00	\$98,982.67
Phoenix	1	0	1	\$63,655.85	\$0.00	\$63,655.85
San Francisco	1	0	1	\$89,249.46	\$0.00	\$89,249.46
St. Louis	1	0.44	1.44	\$98,434.41	\$0.00	\$98,434.41
WFO	1	0	1	\$79,939.02	\$0.00	\$79,939.02
	12	1.3	13.3	\$1,026,157.79	\$0.00	\$1,026,157.79

OLC/HDQ						
AGENCY OVERALL	41	17.52	58.52	\$3,072,468.44	\$0.00	\$3,072,468.44

X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
Atlanta	\$0.00	0.00%
Birmingham	\$0.00	0.00%
Charlotte	\$5,994.45	6.79%
Chicago	\$225.90	0.17%
Dallas	\$2,088.70	15.06%
Houston	\$4,039.80	2.98%
Indianapolis	\$1,803.85	0.43%
Los Angeles	\$2,969.35	1.53%
Memphis	\$563.60	0.54%
Miami	\$625.20	0.32%
New York	\$56.40	0.06%
Philadelphia	\$0.00	0.00%
Phoenix	\$442.40	0.69%
San Francisco	\$504.70	0.57%
St. Louis	\$105.00	0.11%
WFO	\$0.00	0.00%
OLC/HDQ	\$450.80	0.04%
AGENCY OVERALL	\$19,870.15	0.65%

XI.A. NUMBER OF TIMES SUBSECTION (C) USED

Agency / Component	Number of Times Subsection Used
Atlanta	0
Birmingham	0
Charlotte	0
Chicago	0
Dallas	0
Houston	0
Indianapolis	0
Los Angeles	0
Memphis	0
Miami	0
New York	0

Philadelphia	0
Phoenix	0
San Francisco	0
St. Louis	0
WFO	0
OLC/HDQ	0
AGENCY OVERALL	0

XI.B. NUMBER OF SUBSECTION (A)(2) POSTINGS

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
OLC/HDQ	10	2,700
Atlanta	0	0
Birmingham	0	0
Charlotte	0	0
Chicago	0	0
Dallas	0	0
Houston	0	0
Indianapolis	0	0
Los Angeles	0	0
Memphis	0	0
Miami	0	0
New York	0	0
Philadelphia	0	0
Phoenix	0	0
San Francisco	0	0
St. Louis	0	0
WFO	0	0
AGENCY OVERALL	10	2,700

XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
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Atlanta	0	0
Birmingham	0	0
Charlotte	0	0
Chicago	0	0
Dallas	144	0
Houston	210	0
Indianapolis	0	0
Los Angeles	0	0
Memphis	12	0
Miami	819	0
New York	68	0
Philadelphia	372	0
Phoenix	100	0
San Francisco	140	0
St. Louis	211	0
WFO	0	0
OLC/HDQ	16	6
AGENCY OVERALL	2,092	6

XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
Atlanta	0	0	0	0
Birmingham	0	0	0	0
Charlotte	0	0	0	0
Chicago	0	0	0	0
Dallas	0	0	0	0
Houston	0	0	0	0
Indianapolis	0	0	0	0
Los Angeles	0	0	0	0

Memphis	0	0	0	0
Miami	0	0	0	0
New York	0	0	0	0
Philadelphia	0	0	0	0
Phoenix	0	0	0	0
San Francisco	0	0	0	0
St. Louis	0	0	0	0
WFO	0	0	0	0
OLC/HDQ	0	0	0	0
AGENCY OVERALL	0	0	0	0

XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

[illegible]

San Francisco	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
St. Louis	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
WFO	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OLC/HDQ	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0

XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Atlanta	1,457	1,249	1,477	1,233
Birmingham	1,314	1,400	1,346	1,402
Charlotte	981	1,046	1,069	1,036
Chicago	814	702	735	777
Dallas	1,689	1,553	1,697	1,423
Houston	724	890	546	905
Indianapolis	2,417	2,144	2,392	2,132
Los Angeles	1,222	1,052	1,216	1,028
Memphis	665	682	634	684
Miami	1,819	2,128	1,298	1,822
New York	1,006	984	1,197	980
Philadelphia	1,468	1,861	1,161	1,906
Phoenix	574	592	621	457
San Francisco	624	707	429	798
St. Louis	1,465	1,231	964	1,729
WFO	188	213	192	202
OLC/HDQ	575	631	586	620
AGENCY	19,002	19,065	17,560	19,134

OVERALL				
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XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
Atlanta	3	0
Birmingham	0	0
Charlotte	0	0
Chicago	71	0
Dallas	1	144
Houston	196	210
Indianapolis	23	0
Los Angeles	0	0
Memphis	1	12
Miami	616	819
New York	73	68
Philadelphia	374	372
Phoenix	8	100
San Francisco	231	140
St. Louis	635	211
WFO	0	0
OLC/HDQ	27	16
AGENCY OVERALL	2,259	2,092

XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
OLC/HDQ	328	318	321	326
AGENCY	328	318	321	326

OVERALL				
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XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
OLC/HDQ	2	6
AGENCY OVERALL	2	6

